

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 379, nays 3, not voting 52, as follows:

[Roll No. 300]

YEAS—379

Abercrombie	Diaz-Balart, L.	Jones (OH)
Ackerman	Diaz-Balart, M.	Kanjorski
Aderholt	Dicks	Kaptur
Akin	Dingell	Keller
Alexander	Doggett	Kelly
Allen	Dooley (CA)	Kennedy (MN)
Andrews	Doolittle	Kennedy (RI)
Baca	Doyle	Kildee
Bachus	Dreier	Kind
Baird	Duncan	King (IA)
Baker	Dunn	King (NY)
Baldwin	Edwards	Kingston
Ballance	Ehlers	Klecza
Ballenger	Emanuel	Kline
Barrett (SC)	Emerson	Knollenberg
Bartlett (MD)	Engel	Kucinich
Barton (TX)	English	LaHood
Bass	Eshoo	Lampson
Beauprez	Etheridge	Lantos
Becerra	Evans	Larsen (WA)
Bell	Everett	Larson (CT)
Bereuter	Farr	Latham
Berkley	Fattah	LaTourette
Berry	Ferguson	Leach
Biggert	Filner	Lee
Billirakis	Foley	Levin
Bishop (GA)	Forbes	Lewis (CA)
Bishop (NY)	Ford	Lewis (GA)
Bishop (UT)	Frank (MA)	Lewis (KY)
Blackburn	Franks (AZ)	Linder
Blumenauer	Frelinghuysen	LoBiondo
Blunt	Frost	Lucas (KY)
Boehlert	Galleghy	Lynch
Boehner	Garrett (NJ)	Majette
Bonilla	Gerlach	Maloney
Bonner	Gibbons	Manzullo
Bono	Gilchrest	Markey
Boozman	Gillmor	Marshall
Boswell	Gingrey	Matheson
Boucher	Gonzalez	Matsui
Boyd	Goode	McCarthy (MO)
Brady (PA)	Goodlatte	McCarthy (NY)
Brady (TX)	Gordon	McCollum
Brown (OH)	Goss	McCotter
Brown (SC)	Granger	McCrery
Brown-Waite,	Graves	McDermott
Ginny	Green (TX)	McGovern
Burgess	Green (WI)	McHugh
Burns	Greenwood	McInnis
Burr	Grijalva	McIntyre
Buyer	Gutierrez	McKeon
Calvert	Gutknecht	McNulty
Camp	Hall	Meehan
Cannon	Harman	Meek (FL)
Cantor	Harris	Meeks (NY)
Capito	Hart	Mica
Capps	Hastings (FL)	Michaud
Cardin	Hastings (WA)	Millender-
Cardoza	Hayes	McDonald
Carson (IN)	Hayworth	Miller (FL)
Carson (OK)	Hefley	Miller (MI)
Carter	Hensarling	Miller (NC)
Case	Herger	Miller, Gary
Castle	Hill	Miller, George
Chabot	Hinche	Moore
Chocola	Hinojosa	Moran (KS)
Clay	Hobson	Moran (VA)
Clyburn	Hoefel	Murphy
Coble	Hoekstra	Murtha
Cole	Holden	Musgrave
Collins	Holt	Myrick
Cooper	Honda	Napolitano
Costello	Hooley (OR)	Neal (MA)
Cox	Hostettler	Neugebauer
Crane	Hoyer	Ney
Crenshaw	Hunter	Norwood
Cubin	Hyde	Nunes
Culberson	Inslee	Nussle
Cummings	Isakson	Oberstar
Cunningham	Israel	Obey
Davis (FL)	Issa	Olver
Davis (IL)	Jackson (IL)	Ortiz
Davis (TN)	Jackson-Lee	Osborne
Davis, Jo Ann	(TX)	Ose
Davis, Tom	Jenkins	Otter
DeFazio	John	Owens
DeGette	Johnson (CT)	Oxley
Delahunt	Johnson (IL)	Pascrell
DeLauro	Johnson, E. B.	Pastor
DeLay	Johnson, Sam	Pearce
Deutsch	Jones (NC)	Pelosi

Pence	Sanchez, Loretta	Terry
Peterson (MN)	Sandlin	Thomas
Peterson (PA)	Saxton	Thompson (CA)
Petri	Schakowsky	Thompson (MS)
Pickering	Schiff	Thornberry
Pitts	Schrock	Tiberi
Platts	Scott (GA)	Tierney
Pombo	Scott (VA)	Towns
Porter	Sensenbrenner	Turner (OH)
Portman	Serrano	Turner (TX)
Price (NC)	Sessions	Udall (CO)
Putnam	Shadegg	Udall (NM)
Quinn	Shaw	Upton
Radanovich	Sherman	Van Hollen
Rahall	Sherwood	Visclosky
Ramstad	Shuster	Vitter
Rangel	Simmons	Walden (OR)
Regula	Skelton	Walsh
Rehberg	Slaughter	Wamp
Renzi	Smith (MI)	Waters
Reyes	Smith (NJ)	Watson
Reynolds	Smith (TX)	Watt
Rodriguez	Snyder	Waxman
Rogers (AL)	Solis	Weldon (PA)
Rogers (MI)	Souder	Weller
Ross	Spratt	Wexler
Rothman	Stark	Whitfield
Roybal-Allard	Stearns	Wicker
Royce	Stenholm	Wilson (NM)
Ruppersberger	Strickland	Wilson (SC)
Rush	Stupak	Wolf
Ryan (OH)	Sweeney	Woolsey
Ryan (WI)	Tancredo	Wu
Ryun (KS)	Tanner	Wynn
Sabo	Tauscher	Young (AK)
Sanchez, Linda	Tauzin	Young (FL)
T.	Taylor (MS)	

NAYS—3

Flake	Paul	Rohrabacher

NOT VOTING—52

Berman	Istook	Pomeroy
Bradley (NH)	Janklow	Pryce (OH)
Brown, Corrine	Jefferson	Rogers (KY)
Burton (IN)	Kilpatrick	Ros-Lehtinen
Capuano	Kirk	Sanders
Conyers	Kolbe	Shays
Cramer	Langevin	Shimkus
Crowley	Lipinski	Simpson
Davis (AL)	Lofgren	Smith (WA)
Davis (CA)	Lowey	Sullivan
Deal (GA)	Lucas (OK)	Taylor (NC)
DeMint	Menendez	Tiahrt
Feeney	Mollohan	Toomey
Fletcher	Nadler	Velazquez
Fossella	Nethercutt	Weiner
Gephardt	Northup	Weldon (FL)
Houghton	Pallone	
Hulshof	Payne	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised they have 2 minutes in which to cast their vote.

□ 1914

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, I was unavoidably detained today. Had I been present for legislative business, I would have voted "yea" on the following measures under consideration of suspension of the rules, H. Res. 264, H. Res. 177, H. Con. Res. 209, and H.R. 2465.

PERSONAL EXPLANATION

Mr. DEMINT. Mr. Speaker, I was absent during rollcalls 297, 298, 299, and 300. Had I been present, I would have voted "yea" on each of those rollcalls.

PERSONAL EXPLANATION

Mr. FLETCHER. Mr. Speaker, on Monday, June 23, 2003, I was unavoidably detained due to commercial plane mechanical problems. Had I been present for rollcall vote Nos. 297, 298, 299, and 300 I would have voted the following way: Rollcall vote No. 297, H. Res. 264—"Yea"; rollcall vote No. 298, H. Res. 177—"yea"; rollcall vote No. 299, H. Con. Res. 209—"yea"; rollcall vote No. 300, H.R. 2465—"yea".

PERSONAL EXPLANATION

Mr. LANGEVIN. Mr. Speaker, this evening, I was unavoidably detained and unable to vote on the following measures: H. Res. 264 (rollcall vote 297); H. Res. 177 (rollcall vote 298); H. Con. Res. 209 (rollcall vote 299), and H.R. 2465 (rollcall vote 300).

Had I been present, I would have voted "yea" on rollcall vote 297, "yea" on rollcall vote 298, "yea" on rollcall vote 299, and "yea" on rollcall vote 300.

□ 1915

REPORT ON H.R. 2559, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2004

Mr. KNOLLENBERG, from the Committee on Appropriations, submitted a privileged report (Rept. No. 108-173) on the bill (H.R. 2559) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. CULBERSON). Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

MOURNING THE PASSING OF FORMER ATLANTA MAYOR MAYNARD H. JACKSON

(Mr. BISHOP of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BISHOP of Georgia. Mr. Speaker, it is with deep regret that I must announce that this morning Maynard Holbrook Jackson, former Mayor of the City of Atlanta, a very prominent American, passed away. He was a great Georgian, a great American, and we will mourn his loss. Shakespeare wrote, "All the world's a stage and all the men and women many players. Each has its entrance and its exit. One man in his time may play many parts."

So it is with Maynard Jackson. Born in Texas, spending most of his life in Georgia, a lawyer, a father, a mayor extraordinaire, founder of the Georgia Association of Black Elected Officials, a very, very important historic figure in political annals for African Americans and for Americans.

It is with deep regret that we mourn his passing. We will on tomorrow night

have a special order so that we can pay due homage to a great American whom we loved so very much.

MOURNING THE PASSING OF HON. MAYNARD H. JACKSON

(Mr. SCOTT of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCOTT of Georgia. Ladies and gentlemen of the House, this is indeed a sad day. Maynard Holbrook Jackson passed away with a severe heart attack that happened at Washington, D.C.'s Reagan National Airport this morning.

Maynard Jackson was a pioneer of soaring magnitude, not only in just the world of politics but in the world of business as well. It was his guiding influence that made the City of Atlanta a world class city. It was through his guidance that the Atlanta International Airport, which is now the world's busiest airport, was built. It was through his guidance and leadership that Atlanta became host to the 1996 Olympics, making it indeed a world class city.

We mourn his loss but indeed we celebrate an extraordinary life of significant and historic and legendary achievement. Not only was his mark on life for African Americans, for he was indeed a bridge-builder across racial lines at a time in Atlanta and in the South where we so desperately needed it.

Truly a giant in the forest has fallen this day. I know everybody in this House of Representatives, the Congress of the United States, joins with me in saying we thank God that he sent Maynard Holbrook Jackson our way. Truly a child of God and a sojourner of truth and righteousness and an extraordinarily great American, Maynard Holbrook Jackson.

MOURNING THE PASSING OF HON. MAYNARD H. JACKSON

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. What a world of ironies. The day that the United States Supreme Court affirms the idea of race as a factor in equalizing opportunities for Americans and a warrior, a man of justice and equality, who stood fast in years before these contested issues came to the forefront, Maynard Holbrook Jackson, the former Mayor and Vice Mayor of the City of Atlanta, has lost his life.

Maynard Jackson was generous with his time. As a Representative from the State of Texas, might I acknowledge to my colleagues he was born in the great State of Texas. We sent him off to Atlanta, we bid him farewell, but he always remembered his roots and he never forgot his values, that of opportunity, that of fairness, that of the recognizing that business should be spread

amongst those coming from all walks of life.

We lost him today but his legacy and enthusiasm that he shared with America, that yes, those individuals who come with a different background can engage in business, too. He created equal opportunity in Atlanta that was not offensive. He gathered the corporate community together and they joined him enthusiastically in promoting opportunities for women and minorities. And yes, as a young college student, I was privileged to visit with Vice Mayor Maynard Jackson when I was doing my thesis about coalition politics in the Deep South. He did not hesitate to sit down with me and give me a history not only of his life but the great heroes that inspired him.

He is a great soldier, a great warrior, and now I would say, lay your head down, my gentle warrior, lay down and rest that you will never be forgotten. Your words, your deeds will always be remembered that you are a great American hero. God bless you and God bless your family.

ON THE DEATH OF FORMER ATLANTA MAYOR MAYNARD JACKSON AND AFFIRMATIVE ACTION

(Ms. WATSON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WATSON. Mr. Speaker, I rise today to express my shock and sadness at the untimely passing of our dear friend, Maynard Jackson, former Mayor of Atlanta and one of our country's most charismatic political leaders. I also want to take this opportunity to remember Maynard's contribution to affirmative action on the day when the Supreme Court declared its support for the program.

Maynard was a giant of his time, a trailblazer and a dedicated public servant who became the inspiration for generations of African American politicians. His election in 1974 as the Mayor of Atlanta helped usher in a new movement of racial equality and a new process of interracial understanding and co-existence where the spirit of the civil rights movement was carried forward by victories at the ballot box.

Maynard will be remembered as the South's first big city African American mayor, but his legacy was much more than that. During his three terms as mayor, Maynard oversaw construction of the midfield terminal at Hartsfield Atlanta International Airport, established a cultural affairs department, brought the Olympics to Atlanta, and all the while gave voice to the city's in-town neighborhoods. Perhaps one of the most significant accomplishments of Maynard Jackson's tenure was his early support and leadership on affirmative action.

During his first term, Maynard instituted a groundbreaking affirmative action program that elevated the percentage of city contracts awarded to

minorities in Atlanta from less than 1 percent in 1973 to 38.6 percent 5 years later.

One of the great success stories of Maynard's affirmative action program was the creation of a joint venture between white and minority-owned businesses during the construction of the Atlanta airport. Working from a vision of inclusion, Maynard was able to unite various groups and interests in building one of the most complex airport terminals in the world ahead of schedule and within the budget.

It is particularly ironic, then, that Maynard passed away on the day that the Supreme Court issued its landmark ruling. In two successive votes, the Justices recognized that the most effective way to cure society of its exclusionary practices is to make special efforts at inclusion, which is exactly what affirmative action does.

We will never forget him. He will have a legacy that will live on forever in the United States of America.

There has always been affirmative action in public policy—but for many years it operated to exclude, rather than include, people of color. Affirmative action was put in place to not only encourage diversity, but to be a minor step in the direction of justice after hundreds of years of institutional and social discrimination against women and people of color in the United States.

Much of the opposition to affirmative action is framed on the grounds of so-called "reverse discrimination and unwarranted preferences." In fact, less than 2 percent of the 91,000 employment discrimination cases pending before the Equal Employment Opportunities Commission are reverse discrimination cases. Under the law as written in Executive Orders and interpreted by the courts, anyone benefitting from affirmative action must have relevant and valid job or educational qualifications.

Opponents of affirmative action also claim it is discriminatory. The problem with this myth is that it uses the same word—discrimination—to describe two very different things. Job discrimination is grounded in prejudice and exclusion, whereas affirmative action is an effort to overcome prejudicial treatment through inclusion. The most effective way to cure society of exclusionary practices is to make special efforts at inclusion, which is exactly what affirmative action does. When thinking about affirmative action policy, it is important to keep this principle in mind.

In fact, despite the progress that has been made, the playing field today is still far from level. Women continue to earn 76 cents for every dollar earned by a male. Black people continue to have twice the unemployment rate of white people, and graduate from college at half the rate of white people. In fact, without affirmative action the percentage of Black students at many selective schools would drop to only 2% of the total student body.

While I applaud the Court's decision today, our society still suffers from racial discrimination. It is unfortunate that after all these years we are still fighting an uphill battle for full inclusion into our nation's society.

However, we are fortunate to have had the civil rights movement and leaders like Maynard Jackson. In remembering Maynard, we must carry on his legacy and his commitment to never waver from equality for all.